

REMARKS

In paragraph one of the Office Action, the Examiner objected to claims 3 – 14 under 37 CFR 1.75(c). Applicants have amended the claims as shown and believe that they are now in good form. Note that claims 3 -14, along with the claims 15 – 23 depend either directly or indirectly from either claim 1 or claim 2. For the reasons discussed below relative to claim 2, Applicants believe these claims are also in good form and in condition for allowance.

In paragraph 2 of the Office Action, the Examiner rejected claim 1 under 35 USC §102(b) as being anticipated by Sakaino et al. (JP 62027637A). The Examiner stated various reasons for the rejection. For the reasons mentioned below and in view of claim 1 as now presented, Applicants believe that claim 1 is in good form and not anticipated by Sakaino et al.

Sakaino et al. discloses a pressure sensitive element 1 comprising a silicon diaphragm and the like is attached to a stage 2. At least a part of the stage 2 is attached to a seal-diaphragm holding body 4 through a flexible-stage holding body 3. The holding body 4 has a plurality of communicating holes 4a. A transmitting liquid 6 is sealed along the side of the element 1 and the side of a seal diaphragm 5 through the hole 4a. A peripheral part 3a of the holding body 3 is compressed inward by a flexible member 7 comprising a spring and the like. When the ambient temperature or the temperature of the measuring fluid and the like is increased and the transmitting liquid 6 is expanded, the peripheral part 3a of the holding body 3, whose amount of deformation is larger than the element 1, is moved outward against the compressing force of the member 7, and the expansion of the transmitting liquid 6 is absorbed. It is stated that the application of the excessive load on the element 1 can be prevented.

As understood, the Examiner is of the opinion that the holding body 3 of Sakaino et al. corresponds to Applicants' at least one holding element referred to in Applicants claim 1. However, Applicants respectfully traverse this statement because the holding

body 3 of Sakaino et al. cannot be regarded as a holding element in the meaning of claim 1 because the holding body is not arranged on the surface of a diaphragm, but rather, on a border that is formed as a projecting ring. The Examiner's attention is respectfully directed to Applicants' claim 1 where it specifically refers to at least one holding element (4) arranged on a surface of the diaphragm (2) for accommodating a sealing element (12). Applicants cannot find any such corresponding structure in the Sakaino et al. reference.

Applicants respectfully submit that Applicants can find no teaching in Sakaino et al. that suggests a sealing element that is accommodated by at least one holding element arranged on a surface of the diaphragm. This element is missing from the teaching of Sakaino et al.

Further, Applicants claim 1 recites a through-hole (8) which faces a surface of the diaphragm and which has a cross section corresponding to the outer contour of the sealing element to be accommodated. Notice also that claim 1 requires a through-hole (8) which faces the surface of the diaphragm and the through-hole is arranged in the holding element that has a cross section corresponding to the outer contour of the sealing element. The Examiner is apparently taking the position that the hole 4a corresponds to the through-hole referred to in Applicants' claim 1. However, it is respectfully submitted that the hole 4a shown in the Figures of Sakaino et al. is not arranged in the holding body which the Examiner referred to as the holding element defined in Applicants' claim 1. In other words, the holding element that the Examiner referred to in Sakaino et al. reference does not have the through-hole as required by Applicants' claim 1.

Again, Applicants respectfully direct the Examiner's attention to Applicants' claim 1 which specifically recites at least one holding element arranged on a surface of the diaphragm for accommodating a sealing element, with a through-hole which faces the surface of the diaphragm and which has a cross section corresponding to an outer

contour of the sealing element. Applicants are not claiming the elements alone, per se, but rather in combination to provide the pressure sensor with diaphragm and at least one measurement element arranged on the diaphragm as recited in Applicants' claim 1.

For all the foregoing reasons, Applicants believe that Applicants' claim 1 is not anticipated by Sakaino et al.

On page 3 of the Office Action, the Examiner objected to claim 2 as being dependent upon a rejected base claim, but indicated it would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicants have amended the claim as shown and believe it is now in good form.

Applicants have amended dependent claims 3 – 14 to overcome the Examiner's objection as to multiple dependency. Applicants have also added new claims 15 – 23 to depend either directly or indirectly from one of the independent claims 1 or 2 to provide more comprehensive claim coverage in view of the elimination of the multiple dependencies.

For all the foregoing reasons and in view of the claims as now presented, Applicants believe the application is now in good form and in condition for allowance and such allowance is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to **Deposit Account No. 50-1287**. Applicants hereby provide a general request for any extension of time which may be required at any time during the prosecution of the application. The Commissioner is also authorized to charge any fees which have not been previously paid for by check and which are required during the prosecution of this application to **Deposit Account No. 50-1287**. (Should Deposit Account No. 50-1287

be deficient, please charge any further deficiencies to Deposit Account No. 10-0220.)

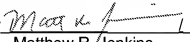
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Examiner: Allen, Andre J.
Group: 2855

Applicants invite the Examiner to contact the undersigned via telephone with any questions or comments regarding this case. **Applicants respectfully request an interview with the Examiner if this Amendment does not place this case in condition for allowance.**

Reconsideration and favorable action are respectfully requested.

Respectfully submitted,

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